

1 Your Name: Conor Brian Fitzpatrick

2 Address: 531 Union Avenue

3 Peekskill, NY 10566

4 Phone No.: 914-402-5399

5 E-mail: conorfitz@optimum.net

6 Pro Se Defendant

**FILED**

**DEC 13 2023**

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 Division [check one]: ☒ San Francisco ☐ Oakland ☐ San Jose ☐ Eureka

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12  
13 JOHN PRUTSMAN, ET. AL.

) Case Number: 3:23-cv-01131-VC

) **ANSWER**

14  
15 Plaintiff,

) Check only if you include a Counterclaim or  
) Crossclaim:

) ☐ **AND COUNTERCLAIM**

) ☐ **AND CROSSCLAIM**

16 vs.

17 NONSTOP ADMINISTRATION AND IN

18 Defendant. Third-party plaintiff

19 V.

) **DEMAND FOR JURY TRIAL [check one]**

20 John Doe and Conor Brian Fitzpatrick

) ☐ Yes

☐ No

21 Third-party Defendant.

) Judge: Hon. \_\_\_\_\_

22  
23 **1. Responses to the Claims in the Complaint**

24 *Each paragraph of the Complaint should be numbered. Read each paragraph carefully.*

- 25 • If everything in the paragraph is **false**, do not write that paragraph number anywhere. The first paragraph of this Answer denies everything that is not specifically admitted.
- 26 • If everything in the paragraph is **true**, write that paragraph number in Section B, below.
- 27 • If you **don't know** whether the paragraph is true or not, write that paragraph number in Section C, below.
- 28 • If the paragraph is **partly true and partly false**, write that paragraph number in Section D below and explain which specific parts of the paragraph are true.
- Use more pages if needed.

ANSWER

CASE NUMBER 3:23-cv-01131-VC

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[JDC TEMPLATE - Rev. 2017]

A. Defendant **denies** each and every allegation in the Complaint except those specifically admitted in this Answer.

B. Defendant **admits** all of the allegations in the following paragraphs:  
12

C. Defendant **does not know** or have enough information to form a belief as to whether the allegations in the following paragraphs are true:  
1,2,3,4,5,6,7,8,9,10,11,13,14, 15,16,17,18,19,20,21,22,23,24,25,26,27,29,30,31,32,33,34,35,36,37,  
38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69  
70,71,72

D. Defendant **admits only parts** of each paragraph below, and denies or does not know enough to say whether the rest of the paragraph is true. *[Use more pages if needed]:*

Paragraph 28: I admit only that On July 13, 2023, Fitzpatrick pleaded guilty to one count of conspiracy to commit access device fraud-- 18 U.S.C. 1029(b)(1) and 3559(g)(1); solicitation for the purposes of offering access devices- 18 U.S.C. 1029(a)(6), and possession of child pornography-18 U.S.C. 2252(a)(4)(B) and (b)(2) and agreed to make restitution to each of his victims in an amount no less than \$3,000 and forfeit \$698,714.

Paragraph \_\_\_\_: I admit only that \_\_\_\_\_

Paragraph \_\_\_\_: I admit only that \_\_\_\_\_

Paragraph \_\_\_\_: I admit only that \_\_\_\_\_

## 2. Affirmative Defenses

*State any factual or legal reasons that the Plaintiff cannot win all or part of this case. Provide enough detail so the Plaintiff and Court will understand your defense. Look at the instruction sheet of this form for examples. If you are not sure about your defenses, make an appointment at the Legal Help Center. Use more pages if needed.*

Affirmative Defense 1. I currently do not have access to any records or devices. I cannot at this time disclose anything that I have learned regarding any discovery in my criminal case. I am not allowed to use the internet to search for anything related to computer hacking crimes, and I cannot contact anyone regarding these crimes described. At this time, I am unable to defend the the counts listed. If I am able to reveiw relevant information it is my beleif that I do not know

John Doe, or personally reviewed any data or source code  
purportedly taken from Nonstop.

### Affirmative Defense 3.

**Affirmative Defense 4.**

**Affirmative Defense 5.**

1 *If you need more space to write your Answer or claims, use this page.*

2 I am currently awaiting sentencing in the Eastern District of Virginia and I think I will probably  
3 be sentenced to a custodial term in prison. I have no assets, not employed. I cannot afford an  
4 attorney to assist with this and I will be moving forward pro-se to the best of my ability.  
5 I will have upwards of \$700,000 in fines and restitution moving forward. If there is a favorable  
6 plantif verdict, there will no money, assests or anything encumberable.

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**Demand for Relief**

WHEREFORE, Defendant demands:

- ☒ That the Court enter judgment dismissing the Complaint;
- ☒ That Defendant be awarded costs incurred;
- ☒ That Defendant be awarded such other and further relief as the Court may deem just;
- ☐ *[If you filed a counterclaim or crossclaim, explain what you would like the Court to do]:*

☐ Other *[explain]:*

**Demand for Jury Trial**

Check one box to show whether you would like a jury to decide your case, if allowed.

- ☒ Yes
- ☐ No

*If more than one Defendant is included in this Answer, each must sign and date below. Attach another page if you need to.*

Respectfully submitted,

Date: 12/20/23

Signature: Conor Fitzpatrick

Printed name: Conor Brian Fitzpatrick

Pro Se Defendant

ANSWER

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*[JDC TEMPLATE – Rev. 2017]*



Justice Diversity  
CENTER

OF THE BAR ASSOCIATION OF SAN FRANCISCO

**CERTIFICATE OF SERVICE**

*\*You must serve each document you file by sending or delivering to the opposing side. Complete this form, and include it with the Answer that you file and serve.\**

1. **Case name** [write Plaintiff's name on the first line, and your name on the second line]:JOHN PRUTSMAN, ET. AL. V. NONSTOP ADMINISTRATION AND INSURANCE SERVICES.  
Plaintiff

Defendant, Third-party plaintiff

V.

JOHN DOE and CONOR BRIAN FITZPATRICK, a/k/a "Pompompurin"

Third-party defendant

2. **Case number:** Civil Action No. 3:23-cv-01131-VC3. **Document served:** Response to Claims in the Complaint4. **How was the Answer served?** [check one]☒ Placed in U.S. Mail☐ Hand-delivered☐ Sent for delivery (e.g., FedEx, UPS)☐ Sent by fax (if the other party has agreed to accept service by fax)5. **To whom was the Answer sent?** [For each person you sent the document, write their full name and contact information used.]Clerk Of Court, US District Court 450 Golden Gate Ave  
Box 36060 San Francisco, CA1. Ernest F Koschineg, Jill Fertel, Cipriani & Werner PC, 450  
Sentry Parkway, Suite 200, Blue Bell, PA 194222. Roger G. Perkins, CLARK HILL LLP, 600 West Broadway,  
Suite 500, San Diego, CA 921013. Scott Edward Cole, Esq. Laura Van Note Esq. COLE & VAN  
NOTE 555 12th Stree Suite 2100 Oakland, California 946074. Gary M. Klinger, Esq. John Nelson, Esq. MILBERG  
COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC 221 W  
Monroe Street, Suite 2100 Chicago, Illinois 60606,5. M. Anderson Beny Gregory Haroutunian CLAYEO C. ARNOLD,  
A PROFESSIONAL CORP 865 Howe Avenue Sacramento, CA6. Brittany Resch Raina Cholleen Borrelli TURKE & STRAUSS  
LLP 613 Williamson Street, Suite 201 Madison, WI 537037. Dylan J. Gould (Pro Hac Vice Forthcoming) MARKOVITS,  
STOCK & DEMARCO, LLC 119 E. Coun Street, Suite 530  
Cincinnati, OH 452026. **When was the Answer served?** December 11, 20237. **Who served the Answer?** [Whoever puts it into the mail, faxes, delivers or sends for delivery should sign, and print their name and address. You can do this yourself.]

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Signature:

Name:

Address:

Mark Fitzpatrick

531 Union Ave

Peekskill NY, 10566